#### SCHWEGMAN # LUNDBERG # WOESSNER # KLUTH

# United States Patent Application COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>SYSTEMS AND METHODS FOR MANAGING INFORMATION</u> DISCLOSURE STATEMENT (IDS) REFERENCES.

The specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. §1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the henefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

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I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

No such claim for priority is being made at this time.

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

I hereby authorize them to get and rely on instructions from and communicate directly with the person/assignce/attorney/ firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below: P.O. Box 2938, Minneapolis, MN 55402 Telephone No. (612)373-6900

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor Chizenship: Post Office Address.	Or number 1: <u>Steven W. Lundberg</u> United States of America 4517 Arden Avenue Edina, MN 55424	Residence: Edina, MN	
Signature:	Steven W. Lundberg	Date;	
Full Name of joint invento Citizenship: Post Office Address:	or number 2: Janal M. Kalis United States of America 1235 Yale Place, #701 Minneapolis, MN 55403	Residence: Mineapolls, MN	
Signature:	Janal M. Kalis	Date:	
X Additional inventors are	being named on separately numbered sheet	s, attached hereto.	

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Full Name of joint inven Citizenship: Post Office Address:	United States of America 1428 Long Lake Road	Residence: New Brighton, MN	
Signature:	New Brighton, MN 55112 Shal Jain	Date: (ch 20, 2002	
Full Name of joint inventificationship: Post Office Address:	tor number 4: <u>Pradeep Sinha</u> United States of America 1217 Earl Shores Lane 7 Burnsville_MN 55306	Residence: Burnsville, MN	
Signature:	Pradeep Sidha	Date: Fel-28, 2002	
Full Name of inventor: Citizenship: Post Office Address:	:	Residence:	
Signature:			
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	

### § 1.56 Duty to disclose information material to patentability.

- A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b) (d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
  - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- Under this section, information is material to patentability when it is not cumulative to information already of record or being (b) made of record in the application, and
  - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
    - (i) Opposing an argument of unpatentability relied on by the Office, or
    - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- Individuals associated with the filing or presecution of a patent application within the meaning of this section are: (c)
  - (1) Each inventor named in the application:
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor with the assignce or with anyone to whom there is an obligation to assign the application.

:1962922199

Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

# **United States Patent Application**

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Serial No. not assigned Filing Date: not assigned

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

	Signature:	micro	· · · · · · · · · · · · · · · · · · ·	Date:	27 Rby 02		
	Full Name of joint inventions: Post Office Address:	United Sta 1235 Yale	anal M. Kalis ates of America Place, #701 lis, MN 55403	Residence: Mine			
	Signature: Date: Steven W. Lundberg						
1	Full Name of joint invent Citizenship: Post Office Address:			Residence: Edina	a, MN		
1	P.O. Box 2938, Minneapolis, MN 55402 Telephone No. (612)373-6900  I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.						
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f	firm/organization/who/wh	nich first sends/sent	ely on instructions from and control this case to them and by who	m/which I hereby o	declare that I have consente	/attorney/ d after full disclosure	
(	iourie, Gregory J. Tortych, Joseph E.	Reg. No. 36,530 Reg. No. 41,791	Muller, Mark V. Nama, Kash	Reg. No. 37,509 Reg. No. 44,255	Woessner, Warren D.	Reg. No. 30,440	
F	Forrest, Bradley A. Damon, Owen J.	Reg. No. 30,837 Reg. No. 36,143	Mehrle, Joseph P. Moore, Charles L., Jr.	Reg. No. 45,535 Reg. No. 33,742	Tong, Viet V. Viksnins, Ann S.	Reg. No. 45,416 Reg. No. 37,748	
	Embretson, Janet E.	Reg. No. 39,665	McTavish, Hugh E	Reg. No. 48,341	Terry, Kathleen R.	Reg. No. 31,884	
	Dahl, John M. Drake, Eduardo E.	Reg. No. 44,639 Reg. No. 40,594	McCrackin, Ann M.	Reg. No. 42,858	Stordal, Leif T.	Reg. No. 46,251	
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(	Clise, Timothy B.	Reg. No. 40,957	Maki, Peter C.	Reg. No. 42,832	Smith, Michael G. Speier, Gary J.	Reg. No. 45,368 Reg. No. 45,458	
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	Chadwick, Robin A.	Reg. No. 36,477	LeMoine, Dana B.	Reg. No. 40,062	Schwegman, Micheal L.	Reg. No. 25,816	
	Brooks, Edward J., III	Reg. No. 40,925	Lemaire, Charles A.	Reg. No. 36,198	Schumm, Sherry W.	Reg. No. 39,422	
	Black, David W. Brennan, Thomas F.	Reg. No. 42,331 Reg. No. 35,075	Kluth, Daniel J. Lacy, Rodney L.	Reg. No. 41,136	Prout, William F.	Reg. No. 33,995	
	Billion, Richard E.	Reg. No. 32,836	Klima-Silberg, Catherine I.	Reg. No. 40,052 Reg. No. 32,146	Peterson, David C.	Reg. No. 47,857	
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	Berdie, Raymond R.	Reg. No. P-50,769	Jurkovich, Patti J.	Reg. No. 44,813	Parker, J. Kevin	Reg. No. 33,024	
	Beekman, Marvin L.	Reg. No. 38,377	Jackson Huebsch, Katharine A.		Padys, Danny J.	Reg. No. 35,635	
	Arora, Suneel	Reg. No. 42,267	Harris, Robert J.	Reg. No. 37,346	Nielsen, Walter W.	Reg. No. 25,539	
Α	Aronoff, Marvin S.	Reg. No. 24,916 Reg. No. 35,052	Haack, John L.	Reg. No. 36,154	Nicholson, Lea A.	Reg. No. 48,346	
	Inglin, J. Michael		Greaves, John N.	Reg. No. 40,362	Nelson, Albin J.		

 $<sup>\</sup>underline{X}$  Additional inventors are being named on separately numbered sheets, attached hereto.

Attorney Docket No.: 1551.002US1 Serial No. not assigned

Filing Date: not assigned

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Full Name of joint inventor Citizenship: Post Office Address: Signature:	or number 3: Shal Jain United States of America 1428 Long Lake Road New Brighton, MN 55112	Residence: New Brighton, MN  Date:	
Digitature.	Shal Jain		
Full Name of joint inventor Citizenship: Post Office Address:	or number 4: Pradeep Sinha United States of America 1217 Earl Shores Lane Burnsville, MN 55306	Residence: Burnsville, MN	•
Signature:	Pradeep Sinha	Date:	
Full Name of inventor: Citizenship: Post Office Address: Signature:	Fraucep Sillia	Residence:  Date:	
Organization of the Control of the C			-
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	_

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  - Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
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A Title Y A Calcast	Dog No. 24.016	Greaves, John N.	Reg. No. 40,362	Nelson, Albin J.	Reg. No. 28,650
Anglin, J. Michael	Reg. No. 24,916 Reg. No. 35,052	Haack, John L.	Reg. No. 36,154	Nicholson, Lea A.	Reg. No. 48,346
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Gortych, Joseph E.	Reg. No. 41,791	Nama, Kash	10g. 140. 44,233		
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I hereby author	orize them to act and re	ly on instructions from and c	ommunicate unect	ly with the person assignee.	1 - Gran Call disalegate
firm/organization/who/	which first sends/sent	this case to them and by who	m/which I hereby o	declare that I have consente	d after full disclosure
to be represented unles	s/until I instruct Schwe	egman, Lundberg, Woessner	& Kluth, P.A. to th	ne contrary.	
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Please direct all corres	pondence in this case t	o Schwegman, Lundberg, V	Woessner & Kluth		ted below:
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Please direct all corres	pondence in this case t	o Schwegman, Lundberg, V P.O. Box 2938, Minnea	Woessner & Kluth polis, MN 55402		ted below:
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Transfer and trans		o Schwegman, Lundberg, V P.O. Box 2938, Minnea Telephone No. (61	Woessner & Kluth apolis, MN 55402 12)373-6900	a, P.A. at the address indica	
I hereby decla	are that all statements n	o Schwegman, Lundberg, V P.O. Box 2938, Minnea Telephone No. (61	Woessner & Kluth ipolis, MN 55402 12)373-6900 ledge are true and	that all statements made on	information and
I hereby decla	are that all statements note true; and further that	o Schwegman, Lundberg, V P.O. Box 2938, Minnea Telephone No. (61 made herein of my own know these statements were made	Woessner & Kluth polis, MN 55402 12)373-6900 ledge are true and with the knowledge	that all statements made on e that willful false statemen	information and ats and the like so
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I hereby declar betief are believed to be trade are punishable by statements may jeopard.  Full Name of joint investigations.	are that all statements not true; and further that y fine or imprisonment dize the validity of the entor number 1:	P.O. Box 2938, Minnea Telephone No. (61  made herein of my own know these statements were made , or both, under Section 1001 application or any patent issu	Woessner & Kluth apolis, MN 55402 (2)373-6900 dedge are true and with the knowledge of Title 18 of the ned thereon.	that all statements made on e that willful false statemen United States Code and that	information and ats and the like so
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Date:

Janal M. Kalis

 $<sup>\</sup>underline{X}$  Additional inventors are being named on separately numbered sheets, attached hereto.

Attorney Docket No.: 1551.002US1

Serial No. not assigned Filing Date: not assigned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint invento Citizenship: Post Office Address:	or number 3: Shal Jain United States of America 1428 Long Lake Road New Brighton, MN 55112	Residence: New Brighton, MN	
Signature:	Shal Jain	Date:	
Full Name of joint invent Citizenship: Post Office Address:	or number 4: Pradeep Sinha United States of America 1217 Earl Shores Lane Burnsville, MN 55306	Residence: Burnsville, MN	•
		Date:	
Signature:  Fill Name of inventor: Citizenship: Post Office Address: Signature:	Pradeep Sinha	Residence: Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	

#### § 1.56 Duty to disclose information material to patentability.

- A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent (a) examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
  - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
  - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
    - (i) Opposing an argument of unpatentability relied on by the Office, or
    - (ii) Asserting an argument of patentability.

Aprima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- Individuals associated with the filing or prosecution of a patent application within the meaning of this section are: (c)
  - (1) Each inventor named in the application:
  - Each attorney or agent who prepares or prosecutes the application; and
  - Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, (d) agent, or inventor.